

PATENT  
Customer No. 22,852  
Attorney Docket No. 2481.1799-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Gerhard JAEHNE et al.	)	Group Art Unit: TO BE ASSIGNED
	)	
Application No.: TO BE ASSIGNED	)	Examiner: TO BE ASSIGNED (Divisional
	)	of Application No. 10/231,394)
Filed: September 22, 2003	)	
	)	
For: C2-SUBSTITUTED IDAN-1-OLS	)	
AND THEIR DERIVATIVES,	)	
PROCESSES FOR THEIR	)	
PREPARATION AND THEIR USE	)	
AS PHARMACEUTICALS	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application

Copies of the listed documents were previously submitted in a prior application, Application No. 10/231.394, filed August 30, 2002, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
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Dated: September 22, 2003

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## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	2481.1799-01	Serial No.	To Be Assigned
Applicant	Gerhard JAEHNE et al.		
Filing Date	September 22, 2003	Group:	To Be Assigned

U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	3,885,045	5/20/75	Maillard			
	3,985,898	10/12/76	Jackson			
	5,958,927	9/28/99	Peglion et al.			
	6,153,625	11/28/00	Peglion et al.			
	3,043,824	7/10/62	Oswald et al.			
	4,174,397	11/13/79	Knabe et al.			

FOREIGN PATENT DOCUMENTS						
	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	0 009 554	4/16/80	Europe			No
	0 313 296	4/26/89	Europe			
	WO97/20806	6/12/97	WIPO			
	WO98/08871	3/5/98	WIPO			
	WO97/26265	7/24/97	WIPO			
	WO99/03861	1/28/99	WIPO			
	WO97/41097	11/6/97	WIPO			
	WO01/12176	2/22/01	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	D. Seebach, et al., "HERSTELLUNG $\alpha$ -THIOLIERTER CARBONYLVERBINDUNGEN", Chem. Ber., Vol. 109, pp. 1601-1616, (1976).
	H.J. Monteiro et al., "A NEW SYNTHESIS OF $\beta$ -KETO-PHENYLSULFOXIDES", Tetrahedron Letters, No. 11, pp. 921-924, (1975).
	A.K. Maiti et al., "POLYETHYLENE GLYCOL (PEG) 4000 CATALYSED REGIOSELECTIVE NUCLEOPHILIC RING OPENING OF OXIRANES - A NEW AND CONVENIENT SYNTHESIS OF $\beta$ -HYDROXY SULFONE AND $\beta$ -HYDROXY SULFIDE", Tetrahedron, Vol. 50, No. 35, pp. 10483-10490, (1994).

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	P. Tyle, "IONTOPHORETIC DEVICES FOR DRUG DELIVERY", Pharmaceutical Research, Vol. 3, No. 6, pp. 318-326, (1986).
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	C.G. Venier et al., "PEROXYTRIFLUOROACETIC ACID. A CONVENIENT REAGENT FOR THE PREPARATION OF SULFOXIDES AND SULFONES", J. Org. Chem. Vol. 47, pp. 3773-3774, (1982).
	J.F. FORD et al., "STEREOCHEMISTRY OF THE CO-OXIDATION PRODUCTS OF INDENE AND THIOPHENOL", Tetrahedron, Vol. 4, pp. 325-336, (1958).
	F.A. KERDEL et al., "THE ROLE OF 1,2-EPOXYINDENE IN THE METABOLISM OF INDENE <i>IN VIVO</i> ", Biochemical Society Transactions, Bd. 4, Nr. 4, pp. 785-787, (1978).
	A.A. OSWALD et al., "ORGANIC SULFUR COMPOUNDS. VI. THE EFFECT OF ALKYLAMINES ON THE COURSE OF THE CO-OXIDATION OF MERCAPTANS AND INDENE", J. Org. Chem., Vol. 26, pp. 3974-3980, (1961).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce